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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,743	01/22/2002	David R. Winkler	66736/31033	6125

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THOMPSON COBURN, LLP
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SUITE 3500
ST LOUIS, MO 63101

EXAMINER

PAPE, JOSEPH

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 04/10/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n No.

10/053,743

Applicant(s)

WINKLER, DAVID R.

Examin r

Joseph D. Pape

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-14, 16, 17, 19-21 and 25 is/are rejected.
- 7) ☒ Claim(s) 10, 15, 18 and 22-24 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7. 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peta in view of West.

Peta discloses the claimed invention including a protective bag cover 58 and rear side flaps 30. Re claim 12, Peta discloses transition plate 24.

Peta does not disclose the use of side panels.

West discloses a cover arrangement for a golf cart including left and right side panels.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the cover arrangement of Peta with side panels as taught by West in order to enhance the protection of the interior of the golf cart.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 4-7, 9, 13-14, 17, 19-21 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Showalter.

Showalter discloses the claimed invention including side panels 20 and a rear panel 22, and a protective bag cover 36 including side flaps (shown in Figure 8). The rear panel 22 is shown to be rolled up and secured by a gathering flap 44 and a securing strap 46. In column 6, lines 23-24 it is disclosed that all of the cover portions are retained around the periphery of the roof structure. It is considered to be inherent that the means by which the side curtains are retained around the periphery is the same as for that shown for the rear cover in that this is the sole means for securement disclosed in the specification. The side panels include a rear panel and a front panel wherein the front panel is considered to be a door. The door is removably attached to the rear panel of the side curtain by a hook and loop strip.

5. Claims 13, 16-17 and 19-20 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by West.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Showalter in view of Tyrer ('906).

Showalter discloses the claimed invention except for the side curtain having a front portion a rear portion and a door in between the front and rear portions.

Tyrer '906 discloses a cover arrangement including a side curtain having a front portion a rear portion and a door in between the front and rear portions.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the side curtains of Showalter to include a front portion a rear portion and a door in between the front and rear portions as taught by Tyrer '609 in order to maintain greater protection of the interior while getting in and out of the cart.

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Showalter in view of Nation.

Showalter discloses the claimed invention except for the side curtains having fasteners along the bottom edge.

Nation discloses a side curtain for a golf cart including fasteners 17, 20.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the side curtains of Showalter with fasteners as taught by Nation in order to enhance the securement of the side curtains.

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Allowabl Subj ct Matt r

8. Claims 10, 15, 18, 22-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references show other golf cart covers similar to that of the current invention.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D. Pape whose telephone number is (703) 308-3426. The examiner can normally be reached on Mon. & Tues.-Fri. (6:00-4:30) with 2nd Thurs. off.

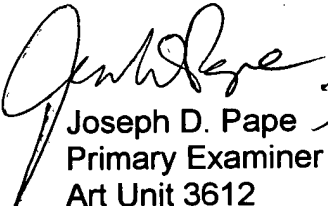
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (703) 308-3102. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.


Joseph D. Pape 3/23/03
Primary Examiner
Art Unit 3612

jdp
March 23, 2003